

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

IN RE: MICHAEL E. WILLINGHAM )	CHAPTER 13
DOROTHY E. WILLINGHAM )	
DEBTOR(S) )	CASE NO. R09-40160MGD
)	
)	JUDGE DIEHL

**AMENDED MOTION TO APPROVE SETTLEMENT, PAYMENT OF  
SETTLEMENT PROCEEDS AND PAYMENT OF ATTORNEY'S FEES**

The above-named Debtor, by and through their attorney of records, respectfully move the Court pursuant to Section 105 of Title 11 of the United States Code, Rule 9019 of the Rules of Bankruptcy Procedure, and Rule 9014-2 of the Local Bankruptcy Rules for the entry of an order approving the settlement agreement and the payment of the settlement proceeds and the payment of attorney's fees in this contested matter and in support hereof alleges and says that:

1. The Debtor and her former employer, Horizon Entertainment, have reached an agreement to resolve the employment law claim. Horizon Entertainment agreed to settle the employment law claim for \$15,797.50.
2. Debtor shows that she intends to pay her attorney fees in the amount of \$6,469 and to pay for her daughter's college tuition in the amount of \$9,328.50.

**Release of All Claims**

The Debtor is therefore requesting the Court approve this settlement as set forth herein, and to allow the parties to enter into and execute the same in full settlement of this contested matter.

The Debtor is also moving the court for such other and additional relief as to the Court may seem just and proper.

**Completion of Obligations of Parties**

All sums shall be paid by Defendant and a Dismissal shall be executed and filed with the Court within ten days of the approval of this Agreement by the Court.

**WHEREFORE**, the debtor respectfully prays of the Court as follows:

- A. That the Debtor's Motion for Approval of the Settlement Agreement and for Payment of the Settlement be granted and approved, for the parties to enter into and execute the same in full settlement of this contested matter.
- B. That the Debtor has such other and further relief as to the Court may seem just and proper.

Dated: August 20, 2013

/s/Jeffrey B. Kelly  
Jeffrey B. Kelly, Attorney for Debtor  
STATE BAR NO. 412798  
107 E. 5<sup>th</sup> Avenue  
Rome, Ga. 30161  
(678) 861-1127  
(706) 413-1365 (fax)  
lawoffice@kellycanhelp.com

### **CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the attached Amended Motion to Approve Settlement, payment of Settlement Proceeds and Payment of Attorney's Fees on the following by U. S. Mail, in a properly stamped and addressed envelope.

Chapter 13 Trustee  
Mary Ida Townson  
191 Peachtree Street, NE, Suite 2200  
Atlanta, Ga. 30303

Michael E. Willingham  
Dorothy E. Willingham  
210 Spring Ridge Dr.  
Dallas, GA 30157

All creditors on attached list.

This 20<sup>th</sup> day of August, 2013.

/s/

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Jeffrey B. Kelly, Esquire  
Attorney for Debtor  
Bar No. 412798  
107 E. 5<sup>th</sup> Avenue  
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Bank of America  
PO Box 45224  
Jacksonville, FL 32232

Bank of America  
PO Box 15726  
Wilmington, DE 19886-5726

Capital One  
PO Box 70884  
Charlotte, NC 28272-0884

Children's Healthcare  
PO Box 116316  
Atlanta, GA 30368

Discover  
PO Box 3008  
New Albany, OH 43054

Equifax  
PO Box 740241  
Atlanta, GA 30374

Experian  
PO Box 2002  
Allen, TX 75013

FIA Card Services  
c/o Frederick J Hanna  
1427 Roswell Rd  
Marietta, GA 30062

Frederick J Hanna & Associates  
1427 Roswell Road  
Marietta, GA 30062

Lane Bryant  
PO Box 856132  
Louisville, KY 40285

Mann Bracken, LLC  
One Paces West, Suite 1400  
2727 Paces Ferry Road  
Atlanta, GA 30339

Quantum Radiology  
c/o Frost-Arnett  
PO BOX 198988  
Nashville, TN 37219

Retail Services  
Dept 7680  
Carol Stream, IL 60116-7680

Superior Court of Paulding Co  
11 Courthouse Square  
Dallas, GA 30132

Trans Union  
PO Box 1000  
Crum Lynne, PA 19022

United Recovery Systems  
P.O. Box 722929  
Houston, TX 77272

Wachovia  
P.O. Box 5169  
Sioux Falls, SD 57117

Washington Mutual  
PO Box 660487  
Dallas, TX 75266

Wellstar Cobb Hospital  
Administrative Building  
805 Sandy Plains Rd  
Marietta, GA 30066

WellStar Paulding Hospital  
PO Box 406166  
Atlanta, GA 30384-6166